

REMARKS

DRAWINGS

The Applicant understands that formal drawings need to be submitted in this matter. They will be submitted by the end of November.

SPECIFICATION

The Examiner contends that the proposed amendment to the specification lacks a statement as to which page and paragraph is being amended. The Applicant respectfully requests that the Examiner review the Preliminary Amendment filed on January 23, 2004, page 4, where the amendment to the specification is clearly discussed - including the page number and paragraph to be amended.

Please find below a copy of those instructions:

Please replace the first paragraph under the heading "Detailed Description" on page 4 (lines 14-20) with the following paragraph:

In **Figures 1 and 2**, described in greater detail below, a layered stack 100 includes a substrate 110, a first layer 120, a second nanoporous layer 130, and an additional layer 140. In preferred embodiments, the first layer 120 in layered stack 100 includes either a continuous layer of non-volatile component 128 (**Figure 1**) or voids 125 and a non-volatile component 128 (**Figure 2**). The second layer 130 in layered stack 100 includes voids 135 and non-volatile component 138. The additional layer 140 in layered stack 100 may include voids 145 and non-volatile component 148. Volatile components 126 and 146 are not shown in the Figures.

CLAIM OBJECTIONS

Claim 5 is amended to replace the phrase polyarylene ether with poly(arylene ether), as the Examiner requested.

35 USC §112

Claims 40 and 41 are rejected under 35 USC §112, first paragraph, as failing to comply with the written description requirement. The Applicant respectfully disagrees, especially in view of amendments made herein.

Claims 40 and 41 are herein amended to recite: "inorganic component" instead of "inorganic polymer". This amendment addresses the Examiner's comments.

DOUBLE PATENTING

Claims 1-5, 10-15, 35 and 36 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 2, 4, 6 and 7 of US Patent No.: 6,171,687. Although the Applicant respectfully disagrees, a Terminal Disclaimer is provided herein.

Claim 17 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 3 of US Patent No.: 6,171,687 in view of Chen et al (US 5,858,869). Although the Applicant respectfully disagrees, a Terminal Disclaimer is provided herein to address the '687 patent.

Claim 1 of the present application recites: "a first polymer layer on the surface of a substrate; a second layer that comprises a nanoporous material and is on the surface of the first layer; and an additional polymer layer at least partially on the surface of the second layer and at least partially infiltrating the pores of the second layer, wherein the infiltrating layer reinforces the strength of the underlying nanoporous material by coating the surfaces containing the pores"

Chen et al. (Chen) teaches a method for making multilevel electrical interconnections having a planar intermetal dielectric (IMD) with low dielectric constant k and good thermal conductivity. As the Examiner states, there is no teaching or suggestion in Chen that the dielectric material comprise pores or nanopores.

Claims 34, 40 and 41 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 3 of US Patent No.: 6,171,687 in view of Lau (US 6,509,415). Although the Applicant respectfully disagrees, Terminal Disclaimers are provided herein.

REQUEST FOR ALLOWANCE

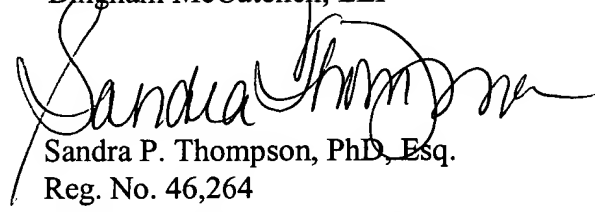
Claims 1-5, 10-15, 17 and 34-36 and 40-41 are pending in this application, and the Applicant respectfully requests that the Examiner reconsider all of the claims in light of the arguments presented and allow all current and pending claims.

Respectfully submitted,

Bingham McCutchen, LLP

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